

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 1:19-CV-11463-DJC

**JAMES LACROIX, RENEE PAYNE-
CALLENDER, THE BOSTON POLICE
PATROLMEN’S ASSOCIATION, THE BOSTON
POLICE DETECTIVES BENEVOLENT
SOCIETY, and THE BOSTON POLICE
SUPERIOR OFFICERS FEDERATION,
Plaintiffs,**

v.

**THE BOSTON POLICE DEPARTMENT,
Defendant.**

JOINT MOTION TO AMEND SCHEDULING ORDER

Plaintiffs, James LaCroix, Renee Payne-Callender, the Boston Police Patrolmen’s Association, the Boston Police Detectives Benevolent Society, and the Boston Police Superior Officers Federation, and Defendant, the Boston Police Department (collectively, the “Parties”), hereby move this Court to amend the scheduling order as follows:

| | <u>Current Deadline</u> | <u>Proposed Deadline</u> |
|-------------------------------|--------------------------------|---------------------------------|
| Fact Discovery: | March 21, 2021 | April 21, 2021 |
| Requests for Admission: | March 21, 2021 | April 21, 2021 |
| Status Conference | February 22, 2021 | April 26, 2021 |
| Motions for Summary Judgment: | April 1, 2021 | May 21, 2021 |

In support of this Motion, the Parties submit the following:

1. In this action, Plaintiffs allege that the Department has violated the Americans with Disabilities Act by requiring return to work physical and psychological examinations of sworn officers.
2. The Parties have been working collaboratively to complete paper discovery and depositions; however, due to scheduling concerns and the COVID-19 pandemic, the Parties anticipate needing an additional month to complete written discovery and depositions.
3. This is the Parties' first request to amend the scheduling order, and no party's rights will be prejudiced if this Court allows the Parties' request.

WHEREFORE, the Parties respectfully request that the deadlines be extended as set forth above.

Dated: February 3, 2021

Respectfully submitted,

JAMES LaCROIX and BPPA,

By their counsel,

/s/ Bryan Decker

Bryan Decker, BBO #561247

Jennifer Rubin, BBO #684323

Decker & Rubin, PC

295 Freeport Street

Boston, MA 02122

(617) 877-1716

bdecker@deckerrubin.com

jrubin@deckerrubin.com

**RENEE PAYNE-CALLENDER and
BPSOF,**

By their counsel,

/s/ Scott Dunlap

Scott Dunlap, BBO #634389

Attorney at Law

89 Access Road, Suite 19

Norwood, MA 02062

(781) 349-8551

swdesq@comcast.net

BOSTON POLICE DEPARTMENT,

By its attorneys,

Eugene L. O'Flaherty

Corporation Counsel

/s/ Winifred B. Gibbons

Nicole M. O'Connor, BBO #675535

Senior Assistant Corporation Counsel

Erika P. Reis, BBO #669930

Senior Assistant Corporation Counsel

Winifred B. Gibbons, BBO #692724

Assistant Corporation Counsel

City of Boston Law Department

Boston, MA 02201

(617) 635-4039 (O'Connor)

(617) 635-4031 (Reis)

(617) 635-4020 (Gibbons)

Nicole.OConnor@boston.gov

Erika.Reis@boston.gov

Winifred.Gibbons@boston.gov

BPDBS,

By its counsel,

/s/ Patrick Bryant

Patrick Bryant, BBO #65220

Pyle Rome Ehrenberg, PC

12 Liberty Square, 10th Floor

Boston, MA 02109

(617) 723-5500

pbryant@pylerome.com

CERTIFICATE OF SERVICE

I, Winifred B. Gibbons, hereby certify that a true copy of the above document has been served upon all registered parties via this court's electronic filing system and upon all non-registered parties via first class mail.

Date: February 3, 2021

/s/ Winifred B. Gibbons